

# Washington State Board of Health



## Draft Minutes of the State Board of Health

June 14, 2006

Red Lion Hotel Seattle Airport, 18220 International Boulevard, SeaTac, WA 98188

### **SBOH members present:**

Kim Marie Thorburn, MD, MPH, Chair  
The Honorable Mike Shelton, Vice Chair  
Charles Chu, DPM  
The Honorable David Crump, PhD  
Ed Gray, MD

Keith Higman  
Frankie T. Manning, MN, RN  
Brian Peyton, Secretary Designee, DOH  
Mel Tonasket

### **SBOH members absent:**

Karen VanDusen

### **State Board of Health Staff present:**

Craig McLaughlin, Executive Director  
Desiree Robinson, Executive Assistant  
Melissa Burke-Cain, Assistant Attorney General

Heather Boe, Communications Consultant  
Ned Therien, Health Policy Analyst  
Tara Wolff, Health Policy Analyst

### **Guests and Other Participants:**

Janna Bardi, Department of Health  
Norma Beerweiler, People's Memorial Association  
Ruth Bennett, People's Memorial Association  
Loretta Bezold, Island County Health Department  
Paul Boring, News-Times  
Art Busch, Washington Education Association  
Bill Byrd, Island County Commissioner  
Roger Case, Island County Health Department  
Glenn Crummel  
Judy Fauberg, Washington Cemetery & Funeral Association  
John Forkner, Washington Cemetery & Funeral Association  
James Green, Citizen  
Katie Hicks, Island County Health Department  
Sara Hoover, Washington Schools Risk Management Pool  
Doug Kelly, Island County Public Health  
David Macys, Island County CHAB

Kerry McDonald, Island County Health Department  
Tim McDonald, Island County Health Department  
Carrie McLachlan, Island County Health Department  
Carol McNeil, Island County Health Department  
Dennis McPhee, Department of Licensing  
James Noel, Washington State Funeral Director's Association  
Kathleen Parvin, Island County Health Department  
Jim Patton, Environmental Health Assessment Team  
John Rolfstad, People's Memorial Association  
Barbara Sauger, Island County Board of Health  
Greg Simard, Washington Cemetery & Funeral Association  
John Smartlowit, Yakama Tribal Council  
Mathew Tomastin, Yakama Nation

Dr. Kim Marie Thorburn, WSBOH Chair, called the public meeting to order at 9:03 a.m. and read from a prepared statement (on file).

**1. APPROVAL OF AGENDA**

*Motion: Approve July 12, 2006 agenda*

*Motion/Second: Shelton/Manning. Approved unanimously*

**2. ADOPTION OF JUNE 14, 2006 MEETING MINUTES**

*Motion: Approve the June 14, 2006 minutes*

*Motion/Second: Shelton/Higman. Approved unanimously*

**3. WELCOME FROM THE ISLAND COUNTY BOARD OF HEALTH AND ITS COMMUNITY PARTNERS**

William (Mac) McDowell, Chair, Island County Board of Health, welcomed the SBOH to Island County and introduced other local board members and local health staff. He thanked the SBOH for traveling around the state for meetings. Jim Patton, Island County Environmental Health Assessment Team, spoke about his involvement in community environmental health assessment in Island County over the past four years. His committee decided to concentrate on two environmental enhancements: preventing illegal garbage dumping and making the community more pedestrian friendly. He said he thought the efforts were greatly successful. He directed the Board to a handout: "Island County Environmental Health Assessment Team." Dave Macys, Island County Community Health Advisory Board (CHAB), talked about the attitude of the community that public health must have a lot of "public" input. The CHAB was established by the county charter in 1993. It has 20 community volunteer members. Its top priority is to reach out to assure health services are provided to infants and children. The citizen group is greatly helped by the local health department staff and supported by the local board of health.

**4. PUBLIC HEARING, IMMUNIZATION RULE (2006 ACIP) – CHAPTER 246-100-166 WAC**

Kim Thorburn, WSBOH Chair, opened the public hearing to consider a rule revision to the WAC 246-100-166 (Immunization of child care and school children against certain vaccine-preventable diseases). Tara Wolff, WSBOH Staff, pointed out the materials behind Tab 4 regarding this proposal. Janna Bardi, Department of Health, explained the materials in more detail and the benefits of updating the rule. She explained that the 2006 schedule would replace Td with Tdap for adolescents. She described the proposal to implement the 2006 recommended ACIP schedule as a phased-in approach – which would be incrementally implemented over a seven-year period.

***Motions:***

*1) The Board adopts the revised WAC 246-100-166 as published in WSR 06-12-115.*

*Motion/Second: Shelton/Manning. Approved unanimously*

*2) The Board approves the Department of Health plan implementing the Tdap requirement for school entry.*

*Motion/Second: Gray/Higman. Approved unanimously*

**5. ISLAND COUNTY PUBLIC HEALTH PROGRAMS – SUPPORTING FAMILIES, JAIL TRANSITION SERVICES, AND HYDROGEOLOGY**

Tim McDonnell, Island County Health Department Administrator, introduced key health agency staff to give an overview of three programs being undertaken by the agency. Jackie Henderson, Island County Public Health, handed out an article "Dawn of a New Movement" and described efforts to address chronic mental health problems that affect many of the inmates in Island County jail and result in their continuous cycling through the jail. Although the program is only 3-months

old in the county, prison guards have already seen an improvement in inmate attitudes. She commented that it is much cheaper to give people mental health services than to just lock them up. David Crump, WSBOH Member, asked for a little more description of the program. Ms. Henderson responded that it is a transition program to try to help people get back into the community. Carol McNeil, Island County Public Health Nursing Director, introduced two members of her staff: Loretta Bezold and Bess Windecker-Nelson. They discussed their work with families to improve health status of children through home visits, referrals to community services, and facilitation of support groups. Mel Tonasket, SBOH Member, asked whether nursing visits are primarily initiated by request of the parent or through medical providers. Ms. Bezold responded that most nursing visits are initiated by referrals from local hospitals about births. Doug Kelly, Island County Public Health Hydrogeologist, gave a brief presentation on Island County's groundwater management planning activities. He was hired by the county in 1996. He briefly described the county's hydrology data system, critical aquifer recharge areas, saltwater intrusion policy, and electronic data collection system with field equipment. Chair Thorburn asked how the drinking water systems are regulated in the county. Keith Higman, SBOH Member and Island County Environmental Health Director, replied that the county regulates all Group B public supplies and all private drinking water wells serving two parties or more.

*The Board took a break at 10:35 a.m. and reconvened at 10:46 a.m.*

## **6. DEPARTMENT OF HEALTH UPDATE**

Brian Peyton, Department of Health Legislative and Constituent Relations Director, reported on the Governor's Blue Ribbon Commission on Health Care Costs and Access. It is tasked with developing a 5-year plan to increase access to affordable health care. The commission held its first meeting on June 22 in Olympia. Mr. Peyton said there was a lot of discussion at the meeting about the concept of access. The next meeting will be on July 27 in SeaTac. The Commission intends to produce a final report in December 2006.

Mr. Peyton mentioned that in June, DOH finalized a data-sharing agreement with Oregon regarding children's immunization registry. Members questioned whether Idaho and Canada might similarly be worked with to share such data. Chair Thorburn commented that Idaho's immunization registry is rudimentary but might present a future opportunity. Melissa Burke-Cain, SBOH Attorney, commented that cross-border issues were complicated by needing U.S. State Department involvement.

Mr. Peyton mentioned that a human papilloma virus (HPV) vaccine has been approved by FDA for vaccination of children as young as 9 years old. It represents a tremendous breakthrough as an immunization to help prevent cervical cancer. DOH will be developing budget projections for universal vaccination of children with HPV over the next few months. Chair Thorburn commented that she did not think this vaccine would meet criteria for adding to the Board's rule for school entry.

Mr. Peyton reported that DOH has given awards to Ellensburg, Puyallup, and Spokane as part of the Healthy Communities Initiative. These awards will assist communities with projects to improve the public's nutrition and physical activity. He also mentioned that all of DOH offices in the Olympia area are now consolidated on a campus in Tumwater.

**7. SBOH ANNOUNCEMENTS AND OTHER BOARD BUSINESS**

Craig McLaughlin, WSBOH Executive Director, asked Board members to note improved formatting of minutes and other Board materials thanks to Heather Boe. He commented on materials behind Tab 7 of the members' packets. He reported that the 2006 State Health Report was transmitted to the Governor on June 30 for her approval. He said that the Governor has received five applications for the upcoming two openings on the Board. However, she wishes to have a larger pool of applicants from which to select new appointees. He reported that Michelle Davis has been appointed by Mary Selecky to serve as DOH liaison with the Board. He read part of an article regarding a bill in California that would establish a \$100 fine for smoking in a car containing a child of an age requiring a car seat. He also commented that it appears there will adequate influenza vaccine supplies for the coming season.

**8. WASHINGTON HEALTH FOUNDATION POLICY PRIORITIES**

Kim Thorburn, WSBOH Chair, introduced Don Sloma, Washington Health Foundation Policy Director, and commented that his organization had many goals in common with the Board. Mr. Sloma gave a presentation on the Healthiest State in the Nation campaign. The presentation is posted on the Board's web site. Healthy systems and healthy living are the linked categories of issues discussed in the report. Washington was ranked number 14 by the 2005 report card of the United Health Foundation. Washington ranks higher regarding healthy living choices, but lower regarding systems measures. He mentioned that his organization has added measures to the United Health Foundation's report card for 2006, primarily to include health care measures. He commented that it is a Washington Health Foundation priority during the 2006 legislative session to promote readiness to learn regarding the health of children. A continuing priority is to build on successes in the 2006 legislative session for addressing health disparities. This includes the K-12 "achievement gap." He commented on the benefits of physical activity for school children and said that his organization is posing the question of why it is not funded. Board members commented that they are similarly interested in promoting physical activity in schools. Frankie Manning, WSBOH Member, commented that it is hard to get people to acknowledge the need to address health disparities because they think the legal inequality resulting in disparities was solved during the 1960s and 1970s.

Mr. Sloma described his organization's interest in promoting the concept of "health home." His organization sees the concept as an issue of health and wellness coordination, separate from medical insurance or other medical payment methods. Chair Thorburn commented that she had some concern about potential confusion caused by the term "health home" versus the term "medical home." Mr. Sloma said that he did not see a conflict in concept between the two terms. Member Manning commented about the importance of looking at the whole person, mental and physical, for promoting health.

Mr. Sloma mentioned the Healthiest State grant program, with \$850,000 available from the Washington Health Foundation in 2006. He concluded his presentation by describing his organization's promotion of healthy living (including increased walking under the Community Health Bowl) through organized and systems approaches.

*The Board recessed for lunch at 12:28 p.m. and reconvened at 1:18 p.m.*

## 9. RECOGNITION OF THE CONTRIBUTIONS OF CHARLES CHU AND ED GRAY TO THE STATE BOARD OF HEALTH

Kim M. Thorburn, WSBOH Chair announced that Dr. Gray and Dr. Chu were both leaving the Board after three terms of service. She read the resolution for Dr. Gray. Many who were present honored Dr. Gray with remarks pertaining to his wisdom, knowledge, and leadership.

***Motion:** The Board adopts Resolution 06-02 to honor Dr. Edmund W. Gray's service on the State Board of Health.*

***Motion/Second:** Crump/Shelton. Approved unanimously*

Dr. Thorburn read the resolution for Dr. Chu. Many who were present honored Dr. Chu with remarks pertaining to his kindness, devotion to family and children, vision, and creativity.

***Motion:** The Board adopts Resolution 06-03 to honor Dr. Charles R. Chu's service on the State Board of Health.*

***Motion/Second:** Crump/Manning. Approved unanimously*

## 10. PUBLIC HEARING, HANDLING OF HUMAN REMAINS – CHAPTER 246-500 WAC

Karen VanDusen, WSBOH Member was absent so Chair Thorburn asked Ned Therien, WSBOH Staff to present this agenda item. Mr. Therien called the board's attention to the CR-102 (Tab 10) which was filed on June 7, 2006. He then took board members through the summary of public comments received. Member Crump asked if a body needed to be intact to be considered human remains. According to the statutory definition, it does not need to be intact. Chair Thorburn called for public testimony.

Dennis McPhee, Department of Licensing, Program Manager for the Funeral and Cemetery Office, testified in support of the rule. Mr. McPhee explained that he was also a licensed funeral director and embalmer and that he had handled thousands of human remains. Mr. McPhee stressed the importance of barrier protection since there is often no explanation for the cause of death. He referred to SSB 5752 and the importance of refrigeration upon receipt of the body.

Mathew Tomaskin, Legislative Liaison and past member of the Yakama Council, testified in support of the rule. He explained how the Yakama people care for and honor the dead. He encouraged this rule change and stated that it respects Native American ways. He also supplied the Board with written testimony from Lonnie Selam, a Yakama official, who expressed opposition to the concept of human remains rules because of a concern they might interfere with important Yakama traditions.

John Forkner, President of the Washington Cemetery and Funeral Association, mentioned that he has been a funeral director and embalmer for 30 years. He testified in support of the rule.

Ruth Bennett, President of the People's Memorial Association, indicated that many of her Association's concerns had been addressed by changes to the rule. However, she indicated that her Association still had some concerns regarding the 24-hour limit for removal from refrigeration and barrier protection requirements.

Member Higman asked Ms. Bennett to further clarify her barrier protection concerns. He also asked staff for an explanation of the language of the rule. His read was that the rule proposal already went some way towards addressing Ms. Bennett's concern.



James Noel, Executive Director of the Washington State Funeral Director's Association, testified in support of the rule. Mr. Noel indicated that he had been serving families for 46 years. He thanked Mr. Therien for his work on the rule. He apologized to the representative from the Yakama Nation (Mr. Tomaskin) pertaining to his comment that the tribe did not get notification of the legislative bill (SSB 5752) resulting in the statutory change that requires funeral establishments to refrigerate or embalm a body upon receipt. He explained that it is often 24-48 hours before funeral directors know the cause of death, so that it makes sense to have public health measures in place to handle all human remains as potentially posing a hazard.

John Smartlowit, Chairman of the Cultural Committee of the Yakama Nation, testified in support of the rule. He explained that tribal customs include hand washing after handling human remains and that it was important to their tradition not to embalm bodies.

***Motion:*** *The Board repeals sections WAC 246-490-001, WAC 246-490-040, WAC 246-490-050, and WAC 246-490-060. In their place, the Board adopts new chapter 246-500 WAC, Handling of Human Remains, as published in WSR 06-12-113.*

***Motion/Second:*** *Shelton/Higgins. Approved unanimously*

Friendly amendment proposed to also accept changes included in summary of comments (see Tab 10) as part of the motion.

***Motion/Second:*** *Crump/Manning. Approved unanimously*

Member Higman commended Mr. Therien on his good work. Member Tonasket thanked Mr. Tomaskin and another tribal elder for their good work. He also commented that the explanation Mr. Tomaskin had provided in his testimony applied to other tribes.

## 11. BOARD MEMBER COMMENTS AND CONCERNS

David Crump, WSBOH Member, made two comments. He wanted an update on cruise ship discharges, and expressed safety concerns for drivers with animals sitting on their laps.

## 12. SELECTION OF BOARD REPRESENTATIVE OF HEALTH DISPARITIES COUNCIL AND REVIEW OF 2006/07 REVISED BUDGET AND STAFFING PLAN

Craig McLaughlin, WSBOH Staff, took board members through the budget and staffing plan detail in his memo to the Board under Tab 12. He also explained the organizational chart included in Tab 12. Member Crump asked how stable the budget was from year to year. Mr. McLaughlin explained that there was some variation from year to year but that it fit well with the projected workload of the new staff.

Chair Thorburn explained that the State Board of Health would have a representative on the Health Disparities Council. She explained that there was no formal process for making this appointment and that the council would meet at least two times a year. Member Tonasket nominated Member Manning for the position. Member Manning accepted the nomination. Member Tonasket then proposed a motion to appoint Member Manning to the Health Disparities Council as the State Board of Health representative.

***Motion:*** *The Board appoints Member Manning to the Health Disparities Council as the State Board of Health representative.*

***Motion/Second:*** *Tonasket/Chu. Approved unanimously*

### **13. SCHOOL ENVIRONMENTAL HEALTH UPDATE**

Member Higman introduced this item. He took the Board through the memo included in Tab 13. Since Gregg Grunenfelder was unable to attend the Board meeting, Ned Therien, WSBOH Staff took board members through the proposed schedule of study sessions on School Environmental Health and Safety (in Tab 13). Member Tonasket noted that the public seemed to be missing from the education sessions. Mr. Therien commented that DOH was analyzing public comment. Member Higgins indicated that others (such as environmental health directors, school board members) were also not supportive of the rule draft. Member Crump indicated that he wanted a thoughtful response to the concerns that had been expressed to date. Member Shelton indicated that this rule had fiscal implications and would cost someone money. He felt that the legislature would need to understand the funding needs tied to the rule. Chair Thorburn explained that at this juncture, staff just needed to know if the proposal for briefing the Board was going in the right direction. Member Tonasket indicated again that he wanted to see public input. Mr. McLaughlin said that staff would work to take Member Tonasket's guidance into account.

### **14. PUBLIC TESTIMONY**

None.

### **ADJOURNMENT**

Dr. Kim Marie Thorburn, WSBOH Chair, adjourned the meeting at 3:47 p.m.